

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BINANCE HOLDINGS LIMITED, d/b/a
BINANCE.COM,

Defendant.

NO. CR23-178RAJ

ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' and Defendant Binance Holdings Limited's Stipulated Motion for Order of Forfeiture (the "Stipulated Motion"), in which the parties jointly moved for an Order of Forfeiture forfeiting, to the United States, the Defendant's interest in a sum of money (also referred to as the "Money Judgment") in an amount totaling \$2,510,650,558.

The Court, having reviewed the Stipulated Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- The Defendant has pleaded guilty to Conspiracy to Conduct an Unlicensed Money Transmitting Business ("MTB") and to Fail to Maintain an Effective Anti-Money Laundering ("AML") Program, in violation of

Title 18, United States Code, Section 371 (Count 1); Conducting an Unlicensed MTB, in violation of Title 18, United States Code, Sections 1960(a), 1960(b)(1)(B), and 2 (Count 2); and Violation of the International Emergency Economic Powers Act (“IEEPA”), in violation of Title 50, United States Code, Section 1705, and Title 31, Code of Federal Regulations, Part 560 *et seq.* (Count 3).

- Pursuant to Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c), any property, real or personal, constituting, or derived from, proceeds traceable to the offense of Conspiracy to Conduct an Unlicensed MTB and to Fail to Maintain an Effective AML Program, in violation of Title 18, United States Code, Section 371, is forfeitable to the United States.
- Pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in the offense of Conducting an Unlicensed MTB, in violation of Title 18, United States Code, Sections 1960(a), 1960(b)(1)(B), and 2, is forfeitable to the United States.
- Pursuant to Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c), any property, real or personal, constituting, or derived from, proceeds traceable to the offense of Violation of IEEPA, in violation of Title 50, United States Code, Section 1705, and Title 31, Code of Federal Regulations, Part 560 *et seq.*, is forfeitable to the United States.
- The Information and the stipulated Statement of Facts recite the factual basis for forfeiting the property involved in the offense of Conducting an Unlicensed MTB. *See* Information; Statement of Facts.

- 1 • The Information and the stipulated Statement of Facts recite the factual
2 basis for forfeiting the proceeds traceable to the offense of Violation of
3 IEEPA. *See* Information; Statement of Facts.
- 4 • In the Plea Agreement it entered on November 21, 2023, the Defendant
5 admitted, agreed, and stipulated that all the facts set forth in the Information
6 and in the stipulated Statement of Facts were true and correct. *See* Plea
7 Agreement ¶11.
- 8 • The sum of money in the amount of \$1,612,031,763 is forfeitable pursuant
9 to Title 18, United States Code, Section 982(a)(1), as it reflects the profits
10 the Defendant obtained from its commission of Conducting an Unlicensed
11 MTB (Count 2), to which it entered a guilty plea.
- 12 • The sum of money in the amount of \$898,618,825 is forfeitable pursuant to
13 Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28,
14 United States Code, Section 2461(c), as it reflects the proceeds the
15 Defendant obtained from its commission of Violation of IEEPA (Count 3),
16 to which it entered a guilty plea.
- 17 • The total of the sums of money forfeitable on Counts 2 and 3 is
18 \$2,510,650,558, and as such that is the total amount of the Money
19 Judgment.
- 20 • Pursuant to Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”)
21 32.2(c)(1), no third-party ancillary process is required before entering it.

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23 NOW, THEREFORE, THE COURT ORDERS:

24 1) Pursuant to 18 U.S.C. § 982(a)(1) (as to Count 2), 18 U.S.C. § 981(a)(1)(C)
25 and 28 U.S.C. § 2461(c) (as to Count 3), and the Plea Agreement, the Court enters a
26 money judgment in the amount of \$2,510,650,558 against the Defendant;
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1 2) Pursuant to the above-referenced authority and the Defendant's Plea
2 Agreement, the Defendant shall pay the Money Judgment in full pursuant to the payment
3 terms, and the Defendant's failure to do so would constitute a breach of the Plea
4 Agreement, notwithstanding entry of the instant Order, *See* Plea Agreement ¶ 19;

5 3) Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Order will become final as to
6 the Defendant at the time of its entry by the Court; it will be made part of the sentence;
7 and it will be included in the judgment;

8 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this Order forfeiting
9 the sum of money, in whole or in part, the United States may move to amend this Order
10 at any time, to include substitute property having a value not to exceed \$2,510,650,558;

11 5) Forfeiture of the sum of money is separate and distinct from the satisfaction
12 of any fine, restitution, cost of imprisonment, or any other penalty the Court may impose
13 upon the Defendant in addition to forfeiture; and

14 6) The Court will retain jurisdiction in this case for the purpose of enforcing
15 this Order, as necessary.

16 IT IS SO ORDERED.

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18 DATED this 13th day of February, 2024.

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21 The Honorable Richard A. Jones
22 United States District Judge
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